

SECOND REGULAR SESSION

SENATE BILL NO. 1015

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAYER.

Read 1st time January 24, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4021S.02I

AN ACT

To repeal section 33.103, RSMo, and to enact in lieu thereof one new section relating to state employee payroll deductions for insurance premiums.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 33.103, RSMo, is repealed and one new section enacted

2 in lieu thereof, to be known as section 33.103, to read as follows:

33.103. 1. Whenever the employees of any state department, division or
2 agency establish any voluntary retirement plan, or participate in any group
3 hospital service plan, group life insurance plan, medical service plan or other
4 such plan, or if they are members of an employee collective bargaining
5 organization, or if they participate in a group plan for uniform rental, the
6 commissioner of administration may deduct from such employees' compensation
7 warrants the amount necessary for each employee's participation in the plan or
8 collective bargaining dues, provided that such dues deductions shall be made only
9 from those individuals agreeing to such deductions. Before such deductions are
10 made, the person in charge of the department, division or agency shall file with
11 the commissioner of administration an authorization showing the names of
12 participating employees, the amount to be deducted from each such employee's
13 compensation, and the agent authorized to receive the deducted amounts. The
14 amount deducted shall be paid to the authorized agent in the amount of the total
15 deductions by a warrant issued as provided by law.

16 2. The commissioner of administration may, in the same manner, deduct
17 from any state employee's compensation warrant:

18 (1) Any amount authorized by the employee for the purchase of shares in
19 a state employees' credit union in Missouri;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 (2) Any amount authorized by the employee for contribution to a fund
21 resulting from a united, joint community-wide solicitation or to a fund resulting
22 from a nationwide solicitation by charities rendering services or otherwise
23 fulfilling charitable purposes if the fund is administered in a manner requiring
24 public accountability and public participation in policy decisions;

25 (3) Any amount authorized by the employee for the payment of dues in an
26 employee association;

27 (4) Any amount determined to be owed by the employee to the state in
28 accordance with guidelines established by the commissioner of administration
29 which shall include notice to the employee and an appeal process;

30 (5) Any amount voluntarily assigned by the employee for payment of child
31 support obligations determined pursuant to chapter 452 or 454, RSMo; [and]

32 (6) Any amount authorized by the employee for contributions to any
33 "qualified state tuition program" pursuant to Section 529 of the Internal Revenue
34 Code of 1986, as amended, sponsored by the state of Missouri; **and**

35 **(7) Any amount for cafeteria plan administrative fees under**
36 **subdivision (4) of subsection 3 of this section.**

37 3. The commissioner of administration may establish a cafeteria plan in
38 accordance with Section 125 of Title 26 United States Code for state
39 employees. The commissioner of administration must file a written plan
40 document to be filed in accordance with chapter 536, RSMo. Employees must be
41 furnished with a summary plan description one hundred twenty days prior to the
42 effective date of the plan. In connection with such plans, the commissioner may:

43 (1) Include as an option in the plan any employee benefit, otherwise
44 available to state employees, administered by a statutorily created retirement
45 system;

46 (2) Provide and administer, or select companies on the basis of
47 competitive bids or proposals to provide or administer, any group insurance, or
48 other plan which may be included as part of a cafeteria plan, provided such plan
49 is not duplicative of any other plan, otherwise available to state employees,
50 administered by a statutorily created retirement system;

51 (3) Include as an option in the plan any other product eligible under
52 Section 125 of Title 26 of the United States Code, subject to regulations
53 promulgated by the office of administration, and including payment to the state
54 by vendors providing those products for the cost of administering those
55 deductions, as set by the office of administration; and

56 (4) Reduce each [participating] employee's compensation warrant by the
57 amount necessary for each employee's participation in the cafeteria plan,
58 [provided that such salary reduction shall be made only with respect to those
59 individuals agreeing to such reduction] **except for those individual**
60 **employees who affirmatively elect not to participate in the cafeteria**
61 **plan.** No such reduction in salary for the purpose of participation in a cafeteria
62 plan shall have the effect of reducing the compensation amount used in
63 calculating the state employee's retirement benefit under a statutorily created
64 retirement system or reducing the compensation amount used in calculating the
65 state employee's compensation or wages for purposes of any workers'
66 compensation claim governed by chapter 287, RSMo.

67 4. Employees may authorize deductions as provided in this section in
68 writing or by electronic enrollment.

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Bill

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